

**CERTIFICATE OF ADOPTION
OF
DROUGHT-RESISTANT LANDSCAPING AND
WATER-CONSERVING NATURAL TURF GUIDELINES
OF
LAKE LIVINGSTON VILLAGE IMPROVEMENT ASSOCIATION, INC.**

STATE OF TEXAS §
 § KNOW ALL PERSONS BY THESE PRESENTS:
COUNTY OF POLK §

WHEREAS, the Board of Directors (the "Board") of Lake Livingston Village Improvement Association, Inc., a Texas non-profit corporation (the "Association") is charged with administering and enforcing that certain Declaration of Covenants, Conditions and Restrictions of Lake Livingston Village, Section One recorded in the Office of the County Clerk of Polk County, Texas, under Volume 506, Page 453; Declaration of Covenants, Conditions and Restrictions of Lake Livingston Village, Section Two recorded in the Office of the County Clerk of Polk County, Texas, under Volume 560, Page 699; Declaration of Covenants, Conditions and Restrictions of Lake Livingston Village, Section Three recorded in the Office of the County Clerk of Polk County, Texas, under Volume 566, Page 636; Declaration of Covenants, Conditions and Restrictions of Lake Livingston Village, Section Four recorded in the Office of the County Clerk of Polk County, Texas, under Volume 571, Page 99; Declaration of Covenants, Conditions and Restrictions of Lake Livingston Village, Section Five recorded in the Office of the County Clerk of Polk County, Texas, under Volume 591, Page 404; Declaration of Covenants, Conditions and Restrictions of Lake Livingston Village, Section Six recorded in the Office of the County Clerk of Polk County, Texas, under Volume 560, Page 711; Declaration of Covenants, Conditions and Restrictions of Lake Livingston Village, Sections Seven, Eight, Nine, Ten and Eleven recorded in the Office of the County Clerk of Polk County, Texas, under Volume 599, Page 192; Declaration of Covenants, Conditions and Restrictions of Lake Livingston Village, Section Twelve recorded in the Office of the County Clerk of Polk County, Texas, under Volume 599, Page 181; Declaration of Covenants, Conditions and Restrictions of Lake Livingston Village, Section Thirteen recorded in the Office of the County Clerk of Polk County, Texas, under Volume 621, Page 428; Declaration of Covenants, Conditions and Restrictions of Lake Livingston Village, Section Fourteen recorded in the Office of the County Clerk of Polk County, Texas, under Volume 704, Page 568; as may be supplemented and amended from time to time encumbering the Lake Livingston Village community (the "Community"); and

WHEREAS, Chapter 202 of the Texas Property Code was amended effective September 1, 2013, to add Section 202.007(a)(4), 202.007(d)(8), and 202.007(d-1) concerning drought-resistant landscaping and water-conserving natural turf; and

WHEREAS, Section 202.007(d)(8) allows a property owners' association to require an owner to submit a detailed description or a plan for the installation of drought-resistant landscaping or water-conserving natural turf for review and approval by the property owners' association to ensure, to the extent practicable, maximum aesthetic compatibility with other landscaping in the subdivision; and

WHEREAS, the Board has determined that it is appropriate for the Association to adopt guidelines regarding drought-resistant landscaping and water-conserving natural turf; and

WHEREAS, the Bylaws of the Association provide that a majority of the members of the Board shall constitute a quorum for the transaction of business and that the action of a majority of the members of the Board at a meeting at which a quorum is present is the action of the Board; and

WHEREAS, the Board held a meeting on NOVEMBER 20, 2021 (the "Adoption Meeting"), at which at least a majority of the members of the Board were present and duly passed guidelines regarding drought-resistant landscaping and water-conserving natural turf described herein below (the "Drought-Resistant Landscaping and Water-Conserving Natural Turf Guidelines").

NOW, THEREFORE, to give notice of the matters set forth herein, the undersigned, being the President of the Association, does hereby certify that at the Adoption Meeting, at least a majority of the members of the Board were present and the Board duly adopted the Drought-Resistant Landscaping and Water-Conserving Natural Turf Guidelines. The Drought-Resistant Landscaping and Water-Conserving Natural Turf Guidelines are effective upon recordation of this Certificate in the Official Public Records of Real Property of Polk County, Texas (the "Official Public Records"), and supplement any restrictive covenants, guidelines or policies regarding drought-resistant landscaping or water-conserving natural turf which may have previously been in effect for the Community, unless such restrictive covenants, guidelines or policies are in conflict with the Drought-Resistant Landscaping and Water-Conserving Natural Turf Guidelines, in which case the terms in the Drought-Resistant Landscaping and Water-Conserving Natural Turf Guidelines will control. The Drought-Resistant Landscaping and Water-Conserving Natural Turf Guidelines are as follows:

Drought-resistant landscaping or water-conserving natural turf shall not be used on any lot unless the following minimum conditions are met:

- a. An owner must submit a detailed description or a plan for the installation of drought-resistant landscaping or water-conserving natural turf for review and approval by the Association to ensure, to the extent practicable, maximum aesthetic compatibility with other landscaping in the Community. Artificial turf and landscaping is not permitted.
- b. The Association reserves the right to adopt further guidelines pertaining to landscape design permitting or excluding certain drought-resistant landscaping or water-conserving natural turf based on the aesthetic compatibility with other landscaping in the Community, and any use of drought-resistant landscaping or water-conserving natural turf, to the extent practicable, shall be in compliance therewith.

EXECUTED on the date of the acknowledgment set forth herein below, to be effective upon recordation in the Official Public Records.

Lake Livingston Village Improvement Association, Inc.,
a Texas non-profit corporation

By:



Howard Vernon Moody, President

THE STATE OF TEXAS §
§
COUNTY OF POLK §

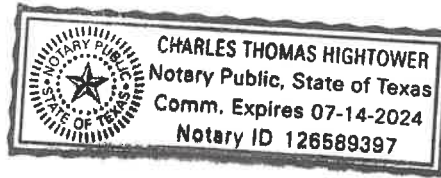
This instrument was acknowledged before me on NOVEMBER 23, 2021, by Howard Vernon Moody, President of Lake Livingston Village Improvement Association, Inc., a Texas non-profit corporation, on behalf of said corporation.

Charles T. Hightower

Notary Public, State of Texas

WHEN RECORDED, RETURN TO:

Hoover Slovack LLP
Galleria Tower II
5051 Westheimer Rd., Suite 1200
Houston, Texas 77056



FILED FOR RECORD
2021 NOV 23 PM 2:14

Schelana Hock
SCHELANA HOCK
POLK COUNTY CLERK

STATE OF TEXAS }
COUNTY OF POLK } *KP*
I, SCHELANA HOCK hereby certify that the instrument was FILED in the file number sequence on the date and at the time stamped hereon by me and was duly RECORDED in the Official Public Records in Volume and Page of the named RECORDS OF Polk County, Texas as stamped hereon by me.

NOV 23 2021



Schelana Hock
COUNTY CLERK
POLK COUNTY, TEXAS